

-PS/CD-O-

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

GARY WIEGERT, 96-A-6658,,

Petitioner,

-v-

05-CV-6471L

ORDER

JAMES T. CONWAY,

Respondent.

Petitioner Gary Wiegert requests a certificate of appealability in connection with this Court's February 23, 2006 Decision and Order dismissing his petition for habeas corpus relief pursuant to 28 U.S.C. § 2254.

The Court hereby certifies that for the reasons set forth in its February 23, 2006 Decision and Order, and pursuant to 28 U.S.C. § 2253 the petitioner has failed to make a substantial showing of the denial of a constitutional right, and therefore, a certificate of appealability is hereby denied.

SO ORDERED.

S/ Michael A. Telesca

MICHAEL A. TELESKA
United States District Judge

Dated: March 2, 2007
Rochester, New York